

1901-016 Chancery Causes: Brown & Orr] vs. J. W. Munsey
Lee Co.

Brown, Orr, Zion

CA - Debt

T - Property

- Deed

Virginia.

To the honorable W. T. Miller Judge of the Circuit
Court of Lee County.

Shrabbly Complaining your orators C. K. Brown &
J. W. Orr merchants and partners doing business
under the firm name and style of Brown & Orr
would respectfully represent and shew unto your
honor, that heretofore, to wit on the 16th day of
June 1894, J. W. Mumsey became indebted to your
orators in the sum of \$65.00; for which sum
he, on that day, executed to your orators two prom-
issory notes for \$32.50 each, one to become due
and payable to the order of your orators at Penelle's
Valley Bank, Juncosville Va, on the 15th day of August
1894, the other to become likewise due and payable
October 15th 1894, each bearing interest from the
said 16th day of June 1894, and as to each, said
Mumsey waived the benefit of his homestead
exemption, said notes are herewith filed as part
hereof marked 1 & 2 respectively.

Your orators will further represent and shew unto
your honor that said Mumsey failed and refused and
still doth fail and refuse to pay his said note that
became due and payable August 15th 1894, and
has removed from this State and became and is
now a resident of the State of Texas, and therefore
a nonresident of this State; that he has removed, &
intends to remove his estate, ^{or the proceeds of the sale of his property,} or a material part of
such estate or proceeds out of this State, so that process of
execution, or a decree in this cause, when obtained, will
be unavailing; that said Mumsey is the owner of 1/7
undivided, of certain real estate in this County, owned
by his father Wm Mumsey Sr deceased, and devised to said

1 J. W. Minsey ^{father} by said decedent, by his last will and testa-
2 ment of record in the Clerk's office of Lee County Court,
3 a copy of which will is herewith filed as part hereof,
4 marked "B". Said real estate consisting of three tracts,
5 One of 69 Acres, lying on the S. S. of Wallens Ridge, another
6 of 216 acres lying on the N. Side of said ridge and the
7 other consisting of 27 $\frac{3}{4}$ acres and lying on the N. Side
8 of said Ridge, all about 10 miles ^{S. West} from the Court house,
9 and the land owned and possessed by the said Wm Minsey
10 Sr. deceased at the time of his death,

11 Now the object of this bill is to recover against the
12 said J. W. Minsey a decree for the amount of his
13 said indebtedness, and the costs of this suit, and to subject
14 to the payment thereof the said defendant's interest
15 in said real estate, and that his said interest be
16 attached for the purpose, ^{he having no other estate or effects in this County of which your orators have knowledge and which are no liens on his said interest.} To this end your orators
17 pray that the said J. W. Minsey be made the party
18 defendant to this bill, and answer its allegations, but
19 not on oath, that being waived, that on a hearing
20 the relief hereinbefore prayed for be granted, and such
21 other further and general relief as your orators may
22 show themselves entitled to. May process issue and order
23 of publication be duly made posted and published as the
24 law directs against nonresidents. And your orators
25 will ever pray &c.

26 Or. Blankenship & Ewing, P.A.
27
28
29
30
31
32

~~Plffs Costs~~

~~Tax 1.35
Shff 99
Atty 5.45
Printer 8.00
Comm 12.00
Estimated 8.00
\$38.75~~

Braun & Co
Bill in Chancery.

J. N. Gimsey.

1894 1st September Rules Ord
Publication & Contd
" 2nd Sep not 2nd Contd
for order of Publication
" 1st October Rules Ord Pub
Completed and cause
Set for hearing by Plff.
" no contd.
1895 Mr. " "
" June Decree & contd

1901 June Term Decree
Final Order Book
No 6 Page 555-576

Plffs Costs \$8.75
Tax 1.50
Shff 90
Atty 16.00
Comm 12.00
Printer 5.00
Estimated 5.00
\$48.15

To the Hon.H.A.W.Skeen,Judge of the Circuit Court for Lee County:-

Your petitioner W.B. and K.C.Munsey would respectfully represent and show unto your honor that in the Chancery cause of Brown and Orr vs.J.W.Munsey E.W.R.Ewing was appointed at the June term,1895 to make sale of the one seventh undivided interest of W.J.Munsey under the will of his father William Munsey,which will is recorded in Will Book No.4 in the office of the Clerk of the County Court for Lee County,at page 53,which sale was decreed to be made for the purpose of satisfying certin leins against said land which the said Brown and Orr and other creditors had obtained against said interest of said J.W.Munsey;and your petitioners will will furthur represent and show unto your honor that on the 19th day of Aug.1895,the said E.W.R.Ewing proceeded at the front door of the court house of Lee County on a court day to offer said ~~land~~ land for sale at public auction,at which sale your said petitioners became th purchasers at the price of \$195.96. Said sale was made for enough cash in hand to pay the costs and commissions and the remainder in two equal enstalllements due x in one and two years from the date of said sale. Your petitioners paid the said E.W.R. Ewing,co mr. as aforesaid \$~~67~~7.48 in cask,as will appear by his receipt here filed,as part hereof,and for the remainder executed 2 notes due in one and two years from date thereof for the sum of \$69.24 each. Your petitioners will furthur represent and show unto your honor that when the first note became due they paid the same to the said Ewing,as will appear by the old note here filed as part hereof,and that after the second note became due your petioners paid the other note as will apper by several receipts here filed as part hereof and prayed to be taken as part hereof. Your petitioners will will furthur represent and show unto your honor that they have paid the whole of the said purchase money,and that after they had paid the whole of the purchase money the said Ewing agreed to have made to your petitioners a deed of conveyance,and on the 11th day of June,1898,the said Ewing represented to your petitioners that he had made said deed under the direction of

the court's order in said cause and your ^{petitioners} ~~XXXXXXXXXXXX~~ paid said Ewing the usual commissioner's fee of five dollars for making said deed. A short while ago your petitioners began to search the office for the deed as aforesaid and none could be found and no decree was found directing any such deed to be made or decree showing the full payment of the purchase money or order confirming any deed to your petitioners. The said E.W.R.Ewing has left the state and gone to parts unknown, and it is impossible to have a report from him showing the payment of the money as aforesaid, but he here files the statement of Brown and Orr showing the payment of the purchase money.

The prayer therefore of your petitioners is that a commissioner be appointed to make to your petitioners a good and sufficient deed for the said interest purchased by your petitioners as aforesaid., and that a decree be rendered confirming said deed & so directed after the same shall have been made. And may all other further and general relief be granted your petitioners that the nature of their cause and good conscience requires and they will ever pray &c.

Virginia, Lee County, to wit,

W.B. & H.C. Munsey
Plaintiffs

I, G.P. Cridlin, a notary public in and for the county of Lee and State aforesaid do hereby certify that W.B. Munsey this day made oath before me that the statements made in the foregoing petition so far as made upon his own knowledge are true, and so far as made ~~of~~ upon the information of others he believes to be true. Given under my hand this the 3rd day of June, 1901.

G.P. Cridlin N.P.

\$69.24

Aug. 19, 1895

One year days after date we promise to pay
to E. W. R. Evening, Cur. in Brown & Orr, J. W. Menzies

Sixty nine & $\frac{24}{100}$

100

Dollars,

with int from June 3rd, 1895.

Without offset. Value received, waiving all Homestead and Exemption Laws as to this debt.

Witness Hand and Seal.

Note and amount

No

Due, 74.24

Recd of H. B.
Munroe \$17⁰⁰
to be credited on
Comm. Note in
my hands.

Sept. 18, 1897.

E. W. R. Goring

Received of H. B. Munsey Ten dol-
lars on his purchase of the Joseph
H. Land from E. W. P. Ewing Co. Inc.
Nov 15th 1897. and Mr Munsey paid me
Five dollars on same about
Oct 1st 1897 & for which I did not
give him a receipt.

James H. Orr

$$\begin{array}{r} 17 \\ 15 \\ \hline 32 \end{array}$$

Remains of W. B. Munsey
\$1.15, supposed to be value, and
Commissioner's note, parts of
which he has paid the parties,
show me as a person, in case
Brown & Co. v. W. B. Munsey,
subject to correction if
any mistake when note is
found.

Dec. 20, 1877

E. W. R. Ewing
Counsel

\$4.50

One day after date we bind ourselves to pay E.W.R.Ewing
four dollars and fifty cents for value received, waiving our exemptions
as to this debt. Negotiable and payable at the office of Orr and
Blankenship, Jonesville, Va.

This June 11, 1898.

W.B. Muncey

St. C. Muncey

Due B. F. Cook \$306
of within.

Due Browne & Co
\$1.45 of within.

Received
of B. F. Cook
\$306

Recd of K. Co. and
H. B. Murree the sum
of \$57.48 the costs
him the case of Brown
& Orr vs. J. H. Murree
in which case these
parties purchased the land
sold by decree which
said J. H. Murree hired
from his father -
This Aug. 19, 1895.

E. W. R. Ewing,
Clerk.

Brown & Ort.

v.o.

J. H. Munsey -

June 5, 1895 Sale decrees - O.B. 5 - 207

Nov 12, 1895 " Confirming - 5 - 268

69.24
138.48
195.96

Will Book 4, page 534 - 71^{2m}
Munsey gives his own children equal
shares in his real estate -

Brown and Orr Plaintiffs,

vs. Petition

J.W.Munsey, Defendant.

.....

Filed in open court and by 1
leave thereof. This June 3, 1901.

E.W. PENNINGTON.

ROBT. L. PENNINGTON.

Pennington Bros.

ATTORNEYS AT LAW,

JONESVILLE AND PENNINGTON GARVA.

Plaintiffs & Ors.

Defendants

vs.

In Chancery

H. J. Munsey ~~vs~~

Defendant

This cause came on this day to be heard upon the proceedings formerly had therein & the motion of H. B. & H. C. Munsey asking leave to file their petition herein, & leave was granted to file said petition & said petition being filed this cause came on to be heard upon the former proceedings & the petition of said H. B. & H. C.

Munsey & was argued by counsel:-

On consideration of all which and it appearing to the Court that E. H. R. Cronin, the Comr. who was directed to see & did see the interest of H. J. Munsey in the lands of his deceased father H^m Munsey, has left the state & rendered it impossible to have a report from him showing the payment of the purchase money due by H. C. & H. B. Munsey the purchasers in this cause, and it appearing from the petition of said purchasers & the receipts filed by them that they have paid the whole of the purchase money, & it appearing to the Court that they are now entitled to a deed

conveying said interest in said
land, which consists in a $\frac{1}{7}$ undi-
vided interest in the lands devised
by the will of W^m J. Munnery deceased;
it is therefore adjudged, ordered and
decreed that R. A. Pennington who is
hereby appointed a special commissioner
for the purpose do make & execute to
said N. C. & W. J. Munnery a good
& sufficient deed with covenants of
special warranty conveying said interest
to them in fee simple, & report his
action to this court; & it appearing
to the court that said R. A. Pennington
has made & executed the deed
herinbefore directed as directed by
this decree & filed the same herein,
& the same being unopposed to is
hereby approved & confirmed; and
the said N. C. & W. J. Munnery will
pay to said R. A. Pennington Comr.
the usual fee of \$5-00 for making
said deed ~~& the~~ upon the payment
of which he will deliver said
deed, & there being nothing further
to be done in this case the
same is dismissed from the docket.

~~W.B.~~
Brown & Orr.
vs. Decatur
W. J. Mansley vs

Entered on Chancery
Order Book No 6
Page 556

Entered this June 4, 1901
J. C. W. Shuman

Brown and Orr

vs.(In Chancery.

J.W.Munsey.

This cause came on this day to be again heard upon the papers formerly read and the report of commissiioner E.W.R.Ewing, reporting and filing for inspection and approval a deed to the purchasers, and the collection and disbursment of the the purchase money, and was argued by counsel:

Upon consideration whereof, there being no exceptions to said report, it is ordered, adjudged and decreed that said report and deed be and the same are hereby confirmed and approved; and it is further ordered that said purchasers pay said commissioner five dollars for said deed; it is further ordered that a rule heretofore entered in this cause against said commissioner and G.W.Blankenship be dismissed. The Clerk of this court will deliver said deed to said purchasers, and the cause is stricken from the docket.

Brown & Orr
vs. } Decree final.
J.W. Munsey.

J.W. Munsey.
vs. (In Chancery.

Brown and Orr

Bond B. 163 Brown & Orr

vs

J. W. Munsey

Upon the calling of this cause it was suggested that E. W. R. Ewing, Commissioner, has in his hands certain funds belonging to B. F. Court, ^{& other creditors} who asked for a rule against said Ewing. It is therefore adjudged, ordered and decreed that a rule be awarded against the said Ewing to ~~be~~ returnable to the first day of next term, to show cause, if any he can, why he has not paid to said Court ^{& other creditors} the amount due him. And ~~he will~~ a rule is also awarded against E. W. R. Ewing and G. W. Blauenship, his security on his bond as Commissioner in this cause, to show cause, if any they can, why judgment shall not be rendered against them in favor of the said B. F. Court ^{& the other creditors} for the amount of money in said Ewing's hands belonging to him. And the clerk of this court will make copies of this decree and

Brown & Orr.

v3 3d u lch.

J. W. Munsey

Rule against E. W.
R. Ewing and G. W.
Blauskenship

En. C. O. S. No 6. p. 42

Enter this decree

Nov. 5 1897.

M. J. M.

deliver the same to the Sheriff of
this County, who will serve the
same upon the said E. W. R. Ewing
and G. W. Blauskenship.

Virginia

At a circuit Court continued and held
for Lee County at the Court-house thereof
on Friday the 5th day of November 1897.
Brown & Orr Plaintiff

vs
J. W. Munsey Defendant } In Chancery

Upon the calling of this Cause it
was suggested that E. W. R. Ewing Commis-
sioner has in his hands certain funds
belonging to B. F. Cook and other creditors
who ask for a rule against the said
E. W. R. Ewing; It is therefore adjudged
ordered and decreed that a rule be awarded
against the said Ewing returnable to the
first day of the next term of the Court
to show cause if any he can why he
has not paid to said Cook and other
creditors the amounts due them.

And a rule is also awarded against
G. W. Blankenship his security on his
bond as Commissioner in this Cause
returnable to the same day to show cause
if any they can why judgment shall not
be rendered against them in favor of the
said B. F. Cook and the other creditors
for the amount of money in said
Ewing's hands belonging to them.

Brown & Orr
of Copy of Decree
J W Munsey

Executed on Nov.
23rd, 1897, by deliver-
ing a true copy of the
within rule to E. W. R.
Ewing and G. W. Blankenship
Jas. M. Heston, D.C. for
H. P. Heston, D.C.

Copies for E. W. R. Ewing
& G. W. Blankenship

Clerk ~~H. P. Heston~~

and the Clerk of this Court will make
Copies of this decree and deliver the
Same to the Sheriff of this County
who will serve the Same upon the
E. W. R. Ewing and G. W. Blankenship
A Copy
Teste: A. B. Munsey Clerk

Brown & Orr

v.

} In testimony.

J. H. Munsey.

This cause came on again to be heard upon the papers formerly read in the cause, the report of the sale of the land by commissioner E. W. R. Boring filed Oct. 14, 1875, to which there are no exceptions; and was argued by counsel. On consideration whereof it is ordered, adjudged and decreed that said report and said sale be and are hereby confirmed, and said commissioner pay costs in his hand to those entitled; and that he collect the unpaid purchase money when due, or at any time the purchaser may desire to pay the same, & pay it over to the plaintiff; and when said purchase money is fully paid, said commissioner will convey said land to the purchaser, by deed with covenants of special warranty. Said commissioner will report his action to some future term of this court, and the cause is continued.

Brown & Orr
r.

J. W. Munsey.

Enter this

N J M

Nov. 12, 1890.

Virginia, Lee County, to wit:

I James W Orr do solemnly swear, that
J. W. Munsey is justly indebted to C. K. Brown
& affiant, Merchants doing business under the
firm, name of Brown & Orr in the sum of
Sixty five dollars, evidenced by two promis-
-ory notes, ^{for \$32.50 each,} executed by said Munsey to said
Brown & Orr, June 16th 1894. One of which
became due and payable August 15th 1894,
and the other to become due and payable
Oct 15th 1894, each bearing interest from date,
and that said Brown & Orr are entitled to
recover from said Munsey the said sum
of \$65.00, with interest from the said 16th
day of June 1894; and that said Munsey is not
a resident of this State, and has estate or debts
owing to him within said County of Lee & State
of Va; and that said Munsey, to the best of affiant's
belief, has removed and intends to remove his own
estate, or the proceeds of the sale of his property,
or a material part of such estate or proceeds, out
of this State, so that process of execution, ^{an order of judgment} when
obtained in the action being brought on said
two notes, will be unavailing.
So help me God.

James W Orr

Subscribed and sworn to before me. Sept 1st 1894.

A B Munsey Clerk

Brown & Orr.
vs { Affidavit
J. W. Munsey.

41.

Brown & Orr,

D.S.

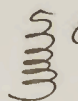
W. J. Munnery

For the foregoing cause by an order entered therein on the 4th day of June 1901 the undersigned was appointed to make to H. C. & W. B. Munnery a deed of conveyance for the land purchased in said cause, which your court has done & here filed said deed for the inspection of the court.
June 4, 1901.

Respectfully submitted

Robt. L. Pennington

Spec. Commr.

Brown Orr
vs  Report of
Audas

H. J. Munsey.
Filed June 4, 1901

clerk

Braun + Orr

Plaintiffs

against

J. W. Munsey

Defendants

In chancery.

This cause came on to be heard upon the ~~papers~~ bill of the plaintiffs and exhibits thereunto, the order of publication duly posted and published against the defendant, as the law directs, and completed the time required by law, and on the attachment duly issued in the cause and returned levied, by C. E. Flanery Sheriff of this county, on the defendant's interest in the real estate of his father ~~Thm~~ Munsey Sr. deceased in the bill mentioned, and the service of a copy of said attachment on the tenant in possession of said real estate, and was argued by counsel.

On consideration thereof, and said defendant failing to appear the bill is taken for confessed against him, and it is adjudged, ordered and decreed that the plaintiffs recover against the defendant ~~\$65-00~~ the amount of the two notes sued on, and in the bill mentioned, with legal interest thereon from the 16th day of June 1894

until paid and the costs of this suit, and it being suggested to the Court that there were other ~~liens against the defendant's said real estate, from the adjournment of this Court,~~ it is further adjudged, ordered and decreed that C. H. Jones, who is appointed a commissioner for the purpose, do take an account of said liens and report to this Court, their amounts and who in favor of

and their priorities, if any, and whether the defend-
- ants said real estate will rent for a sum suf-
ficient in five years to pay the amount of
said lien, said Commissioner will before
proceeding to act under this decree, give due
notice of the time and place of his sitting
and will report his action hereunder to this
Court at its next term. And the cause is
continued.

Braum v Orr

Decree No. 1.

J. H. Munsey.

D. B.

Page 166

Enter this decree

M L M

Nov 17th - 1895.

Brown and Orr, Compts.

vs/

J/ W/ Munsey.

{ In loby

It is adjudged ordered and decreed that C/ H. Jones who is appointed special Com,r. d take an account of said liens and report to this Court their amounts and who in favor of, and their priorities, if any, and whether the defendants said real estate will rent for a sum sufficient in five years to pay the amount of said liens. Said Com,r. will before proceeding to act under this decree give due notice of the time and place of his sitting and report his action to this court.

Notice.

The parties interested in the foregoing Decree of which the above is an extract, will take notice that on the 23 day of April 1896, at the office of Orr, Blankenship and Ewing, Jonesville, Va. I shall proceed to execute the same, when and wherethey are required to attend with such evidence as shall enable me to comply with the terms of the same.

C. H. Jones.
Special Com,r.

S

Brown & Orr

O.S. { Notice

JW Murry

Notice Ordered on
April 6. at Court
House of Court House.

Legal service of
the within notice
is accepted for

Brown & Orr.

This, Apr. 6 - 1895.

James W. Orr, atty
for Plffs.

Admitted till May 20, 1895 -
Chas. Jones
Clerk

Brown and Orr
vs. ³/₄ In Chy.
J. W. Murrey.

The deposition of W. P. Join
and others taken before me C. H. Jones
Special Commr, in the Chancery cause
of Brown & Orr vs. Murrey, to be
read as evidence by me in deter-
mining the questions submitted
to me by decree of the Lee Circuit
Court at its March Term, 1895

Taken at the office of Orr, Blanken-
ship & Ewing, Jonesville, Va, ^{May 20th 1895} pursu-
ant to the attached notice, and adjourn-
ment.

Present:

W. P. Join, a witness of lawful age being
first duly sworn, deposes and says:

Ques 1

State your age and residence.

Ans 1. Fifty four. ~~White Shoals~~, Longfield, Va.

Ques 2

Are you acquainted with J. W. Murrey
defendant, in this cause; if so state
what real estate he owns; where
situated; and its fair cash rental
value per year?

Ans 2

I am. He owns ~~one~~ one seventh
interest in his fathers estate ~~of~~
~~about \$~~. I cannot state its rental ^{value}.

and farther this deponent saith not.

Wm. P. Ginn

James J. Munsey another witness
of lawful age being first duly
sworn, deposes and saith as follows.

Ques 3

Are you acquainted with the defend-
ant Grommsey in this cause; if
so please state what real estate
he owns, where situated, its fair
cash rental value per year?

ans 3.

Yes sir. He ~~is~~ owns one seventh
interest in fathers land, which
contains about Three hundred and
forty acres. The fair cash rental
value per year would be about
twenty dollars.

And farther this deponent saith not
James J. Munsey

Virginia;

Lee County, to-wit:

I C. H. Jones, Comr. in the above styled
cause, certify that the foregoing depositions
of W. P. Ginn and James J. Munsey, were taken,
subscribed and sworn to before
at the time and place and for the
purpose mentioned in the caption.

Given under my hand, this May 20th, 1895.

C. H. Jones.
Special Comr

Brown & Orr.
vs Depositions
for Comr.

J. W. Murray.

'D'

J.W. Mummy

In account with his Lien Creditors.

Brown & Orr vs J.W. Mummy.

\$ cts

Decree by the Circuit Court

March, 11th 1895 on attachment ^{3rd 1894} final Sept,

65 00

Just from June 16, 1894 to June 2, 1895

3 73

68 73

Liens

#13

B. F. Cook vs. J. W. Munsey
 Judgment rendered by Justice of
 Peace Sept. 20th 1894 ~~for~~ on attachment 16 50
 Inst from Aug. 16/94, to June 3, 1895 78
 Costs in cause 6 99
 Total 24 27

#16

M. E. Crockett, Admin. est. of M. H. Crockett
 vs
 J. W. Munsey.
 Judgment by Lee County Court
 Oct. 24th 1894. ~~for~~ on attachment ^{Oct. 24, 1894} 16 25
 Inst from Sept. 19th 1893, to Oct 23, 1893 12
 Credit Oct. 23, 1893 16 37
 New Principal Oct. 23rd 1893 4 90
 Inst from Oct. 23, 1893, to June, 3, 1895 11 47
 Costs of suit 1 10
 Total 19 56

#18

J. O. Gibson & Co. vs. J. W. Munsey.
 Judgment by Lee County Court
 Feb. 20, 1895 ~~for~~ on attachment Feb 12/95 17 49
 Inst from Jan. 1st 1894 to June 3, 1895 1 44
 Costs of suit 6 99
 Total 25 92

Licus

To the Hon. W. P. Miller, Judge of the
Circuit Court of Lee County.

Your undersigned special
Com'r. having been directed by a decree
of your Honors Court, at the March
Term, 1895, in the Chancery Cause of
Brown & Orr vs J. W. Munsey, to ascertain
and report the liens existing against
the real estate of said Munsey, their
amounts and priorities, in whose favor,
and the rental value per year, and
after giving notice to the parties concern-
ed, a copy of which notice and adjourn-
ment is herewith filed; began his inves-
tigations and herewith begs leave to
submit the same.

Your Com'r. reports the liens as shown
by the accompanying list marked "Liens",
their priority being shown by letters
set opposite in the margin A 'B' C etc.
Your Com'r. finds that all the liens
amount to \$138.48, ^{exclusive of costs} and it appearing
from the depositions herewith filed
marked 'D' that the rental value of
said Munsey's land is about twenty
dollars per year, your Com'r. must
report that ~~at~~ said land will
not rent for enough in five
years to pay off said liens.

Having reported as required by said
~~order~~ your Comm submits the same.
This May 20th 1895.

C. H. Jones
Special Comm.

Brown 5000
vs Comm Report

J. W. Munsey

Filed May the 20th
1895

A. B. Munsey
Clerk

Comm Fee \$12.00

To Hon. W. T. Miller, Judge of the Circuit court of Lee county:

In the case of Brown and Orr

vs.

J. W. Munsey,

I, the undersigned special commissioner would beg to report that pursuant to a decree rendered in this cause at the June term of this Honorable court on the 7th day of June, 1895, I proceed to advertise the land in the bill mentioned and decreed to be sold, as in the decree I was required to do. Pursuant to said notice on the 19th day of August, 1895, that being court day, at the front door of the court house, I exposed as directed ⁱⁿ the said decree and the proceedings and papers in the cause, the land for sale for cash in hand to pay costs and commissions, and remainder on one and two years. At this exposition and public outcry W. B. Munsey bid the sum of \$195.96 which was the highest and best bid offered, consequently the said lands were knocked off to the said Munsey. Pursuant to the terms of sale he paid down the costs and commission, which were \$57.48, and executed his bonds on one and two years time ^{respectively} for \$69.24 each, bearing interest from the 3rd. day of June 1895, until paid, with K. C. Munsey, and James J. Munsey as security, This makes these bonds quite good; therefore your commissioner will respectfully recommend that this sale be confirmed and I be directed to make to the said purchaser a deed for the two tracts of land sold as will by the papers full be seen.

All of which is respectfully submitted.

This Oct. 14, 1895.

E. W. R. Ewing,
Sp. Commr.

K. C. Munsey.

no your court, as such

Brown & Orr

vs- { Rept. of Sale.

J. W. Munsey.

Filed October 14th 1895;

J. V. F. Richmond & Co.
for J. W. Munsey circuit
clerk

Costs of Suit \$48.18

Costs 9.33

Collected — \$57.48

Rate \$69.24 each 138.48

Suit of Sale — \$195.96

Brown and Orr

vs.

J.W.Munsey.

To the Hon.W.T.Miller, Judge of the Circuit court Lee county:

Your undersigned special commissioner desires to report that in the above cause he has collected the purchased money, and has disbursed the same to the creditors as shown in the proceedings. Formerly your commissioner reported W.B.Munsey as the purchaser, but he admits that ~~K.C.~~ K.C.Munsey has paid one half of the purchase money, and requested that a deed be made them jointly, which your commissioner has done pursuant to a decree rendered in this cause on the 12th day of November, 1895. Said deed is herewith filed for the inspection and approval of the Court.

Your commissioner asks that five dollars be decreed him for said deed.

Respectfully submitted.

E. W. R. Ewing,
Sp. Comm.

Brown & Orr
v. } Report of Deed.

J. W. Munsey.

Filed June 13th 1898
J. B. Munsey Clerk

Respectfully submitted.

[Faint handwritten signature]

Judgment Sept 20th 1894.

B. F. Lewis Judgment for \$16.50 with interest
20. from the 16th day August 1894
J. W. Munsey until paid & costs J. P. 1.50 Court
50 cts. C 2.49 A 2.50

Judgment Oct 24th 1894.

M. E. Crockett adm Est of M. H. Crockett Pff
27

J. W. Munsey left
Judgment for \$16.25 with interest from the 19th
day of Sept 1893, until paid. Subject to credit
of \$4.90 paid Oct 23. 1893. & costs J. P. 1.50
Court 50. Clerk. 2.49 A 2.50

Judgment February 20th 1895.

J. W. Gibson dec Pffs
20.

J. W. Munsey left
Judgment for \$17.49 with interest thereon from 1st
day of January 1894, until paid & costs A 2.50 J. P. 1.50
Court 50. C 2.49.

This deed made this the 11th day of June, 1898, by and between E.W.R. Ewing, Commissioner, of the first part, and W.B. Munsey and K.C. Munsey, of the second part, all of Lee county, Virginia, witnesseth, That whereas by decree of the Circuit court of said county entered in the cause of Brown and Orr against J.W. Munsey said party of the first part was directed to sell the land in the bill and proceedings in said cause mentioned, and whereas pursuant to said decree said party of the first part did sell, after duly advertising, said land, and whereas W.B. and K.C. Munsey, parties of the second part became the purchasers at the price of one hundred and ninety-five dollars and ninety-six cents, and whereas the said sum has been fully paid, and whereas by decree entered by said court in said cause on the 12th day of November, 1895, ~~at~~ said party of the first part was directed to make said purchasers a ~~and~~ deed, now for and in consideration of all which, and in obedience to said decree, the party of the first part hereby grants, sells, conveys, and confirms unto the said parties of the second part all of ^{three} certain tract^s or parcel^s of land, lying and being in Lee county, ^{being} a one seventh undivided interest in and to a certain tract or parcel of land which was devised to J.W. Munsey by the last will and testament of his late father, William Munsey, Sr., which will is of record in the county court Clerk's office of Lee county, which said interest of said J.W. Munsey is in three several tracts of land, one of sixty-nine acres lying on the south side of Wallen's ridge, one of two hundred and sixteen acres lying on the North side of said ridge, and another containing twenty-seven and three tenths acres, on the North side of said ridge, all about ten miles south west of Jonesville, and fully described in said will and the bill and proceedings in said Chancery cause, to each of which reference is here made: To have and to hold said tracts or parcels of land and undivided one-seventh interest therein to the said parties of the second part and their heirs forever, with covenants of special warranty.

Witness the following seal and signature day first above written.

E. W. R. Ewing, Commissioner, (Seal.)

Virginia,

In Clerk's Office of Lee county:

I, S.V.F. Richmond, Clerk, do certify that E.W.R. Ewing, commissioner,
in my office aforesaid
this day personally appeared before me and acknowledged the above
deed bearing date June 11th, 1898. ^

Given under my hand this June 11th, 1898.

S. V. F. Richmond

Clerk.

W. B. & K. C.

Murphy

From } Deed.

E. W. R. Ewing,
Commr.

June 11th, 1898.

Clerk.

Virginia,

In Clerk's Office of Lee County;

I, E. W. R. Ewing, Clerk, do certify that E. W. R. Ewing, Commissioner,

this day personally appeared before me and acknowledged the above

Know all Men by these Presents, That we

Brown and *J. M. Munsey*

are held and firmly bound unto *Two hundred* Dollars, to the payment whereof we bind ourselves, our heirs, executors and administrators, jointly and severally, by these presents.

We hereby waive the benefit of our homestead exemption as to this obligation. Witness our hands and seals this *3rd* day of *September* 1894.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That whereas *James M. Orr* and *L. K. Brown* plaintiffs in a suit instituted in the Circuit Court of the County of Lee, against *J. M. Munsey*

defendant, has upon affidavit, made in due form of law, sued out of the Clerk's Office of the said Court an attachment against the estate of the said *J. M. Munsey*

for the sum of *\$65.00 with interest from the 16th of June 1894* being the amount claimed by the said plaintiff in the said suit.

NOW THEREFORE, If the said *James M. Orr & L. K. Brown* shall pay all costs and damages which may be awarded against *them* or sustained by any person by reason of *their* suing out the said attachment, then the above obligation to be void, otherwise to remain in full force.

James M. Orr [SEAL.]

L. K. Brown [SEAL.]

A Copy Leste
A. B. Munsey *A. M. Brown* [SEAL.]

Executed in the presence of

A. B. Munsey

In the Clerk's Office of the Circuit Court of the County of Lee, the *3rd* day of *September* 1894. *A. M. Brown* the securit

in the above bond, this day made oath before me, A. B. MUNSEY, Clerk of the said Court, that *his* estate, after a payment of all *his* debts and of such liabilities as he has incurred for others and expect to have to pay, *is* worth *\$200.00* the penalty of the said bond.

Given under my hand as Clerk of the said Court this *3rd* day of *September* 1894

A Copy Leste
A. B. Munsey Clerk.
A. B. Munsey Clerk

B + O - 32.50 ²⁻²
¹²
²⁶
 975-0
 325-0
 4225-0
 32.50
 \$ 36.72

[1799 ^{7 7 1/2}
 8.79 ¹²
 153 ^{15 1/2}
 8395- ^{15 3/4}
 879
 439
 219
 15843
 8.79
 \$ 10.17

Brown & Orr

Attachment Bond.

to {
J. W. Munsey

Orr Blankenship ^{Dwight} p. 98

Filed September 3rd 1894

A. B. Munsey
Clerk

Virginia, In the Circuit Court of Lee County.

Brown & Orr

Against (In Chancery.

J. W. Munsey.

The object of this suit is to recover against J. W. Munsey the sum of \$65.00 with interest thereon from the 16th day of June 1894, till paid--the amount of two notes executed by said Munsey to said Brown & Orr, and the costs of this ~~suit~~ suit, and to subject the land of the said J. W. Munsey to the payment thereof, which land is situate in the county of Lee--- the same being a one-seventh undivided interest of certain real estate owned by his father, William Munsey, Sr., deceased, and devised to said J. W. Munsey and others by said decedent by his last will and testament of record in the Clerk's office of Lee County Court. Said land consisting of three tracts, one of 65 acres lying on the South side of Wallen's Ridge; another of 216 acres, lying on the North side of said ridge, and the other consisting of 27 and $\frac{3}{10}$ acres and lying on the North side of said ridge, all about 10 miles Southwest from the Court House and in Lee County, Virginia, and which undivided interest of said real estate has been attached for the purpose of subjecting the same to the payment of said debt and costs. And ~~that~~ which estate of the said ~~J. W.~~ J. W. Munsey is intende to be thus effected by said suit.

This February 13, 1895.

.....Brown & Orr.....
Attorneys for Plaintiffs.

Virginia Lee County to Wit
In the Office of the Clerk of said
Court, the 13th Day of February 1895
This ~~is~~ ~~Pendens~~ was presented and admitted
to record, Teste: J. T. F. Richmond Clerk

Brown v. Orr.
vs. Lis Pendens.
J. W. Munsey.

Recorded in
Deed Book
No. 31, Page 165

L. W. Richmond
clerk

Examined

@ 1.00



Jonesville, Va., June 16th 1894.

On or before the 15th day of August, 1894, I
promise to pay to the order of Brown & Orr Thirty two & 50 dollars, payable
at Powell's Valley Bank, Jonesville, Va., for value received, with interest from date;
and as to this debt I hereby waive the benefit of all homestead exemptions. This
note is for One 3/4 #1 Old Hickory wagon, I Shenthis day delivered to the
maker of this note, with the understanding and agreement between the maker of
this note and said Brown & Orr that the title to said property is and shall remain in
said Brown & Orr until this note, or renewal thereof, is paid in full.

J. M. Murray

No 1.



Jonesville, Va., June 16th 1894

On or before the 15th day of October, 1894, I
promise to pay to the order of Brown & Orr ~~Thirty two~~ ⁵⁰ dollars, payable
at Powell's Valley Bank, Jonesville, Va., for value received, with interest from date;
and as to this debt I hereby waive the benefit of all homestead exemptions. This
note is for a $3\frac{1}{4} + 10$ L. S. Old Hickory wagon this day delivered to the
maker of this note, with the understanding and agreement between the maker of
this note and said Brown & Orr that the title to said property is and shall remain in
said Brown & Orr until this note, or renewal thereof, is paid in full.

J. W. Houser

No 2.

18

Dollars

2/6.99

3.49

6.66

~~\$10.15~~

5'0

5'0

2.49

~~2.50~~

\$6.99

6.66

~~\$13.65~~

0.15

~~\$8.50~~



Orr & Brown
Int.

$\$32.50$
4.22

J. O. G.
Int.

8.79
1.38

Mrs. Blank.
Int.

5.71
.90

C. 9.24
— 2.50
6.66
2.50 accy. fee.



18

Dollars



8.25-

.99

9.24 C.

36.72

10.17 H.

6.66 B.

9.24

10.17

19.41

27.73

6.75

20.98



18

Dollars



6. 6 6

3. 4 9

3 6- 7 2

1 0. 1 7

1 0. 0 0

6. 7 5 -

73. 7 9

7 4 6 0

2 3. 7 5

. 8 1

In the Clerk's Office of the Circuit Court of the County of
Lee on the 3rd day of September 1894.

against

Brown & Orr

Plaintiff

In Chancery

J. W. Munsey

Defendant

The object of this suit is to recover of the Debt \$65.00 and legal interest thereon from the 16th day of June 1894; and to subject to the payment thereof the Debt's interest in the real estate of his father Mr. Munsey sr. deceased which has been attached for the purpose. And an affidavit having been made and filed that the defendant J. W. Munsey is

not a resident of the State of Virginia, it is ordered that he do appear here, within Fifteen days after due publication hereof, and do what may be necessary to protect his interest in this suit. And it is further ordered that a copy hereof be published once a week for four weeks in the South West Virginian, and that a copy be posted at the front door of the court-house of this County on the first day of the next term of the County Court.

A copy—Teste:

Orr, Blankenship & Ewing. q.

A. B. Munsey Clerk.

Brown & Orr

vs. }

ORDER OF
PUBLICATION.

J W Munsey

I A B Munsey Clerk of the
Circuit Court of Lee County
do certify that I delivered
a copy of the within order
to W H Cado Editor of the
South west Virginian for
publication on the 3rd day
of September 1894. And that
I posted a copy of the same
at the front door of the Court
house as the law directs
given under my hand
this the 18th day of Oct. 1894

A B Munsey Clerk

In the Clerk's Office of the Circuit Court of the County of
Lee

against Brown & Orr Plaintiff

Defendant

In Chancery

This day 1st Sept Brown personally appeared
before me Ar B Munsey Clerk of the said Court,

and being duly sworn, made oath that

J. H. Munsey
defendant in the said suit is not a resident of the State of Virginia,

Given under my hand has Clerk of the said Court, this

3rd day of September

1894

Ar B Munsey Clerk

Brown + Orr

vs.

{ AFFIDAVIT FOR ORDER
OF
PUBLICATION.

J. M. Munsey

Orr, B. + E. p. q.

Filed September the 3d 1894
A B Munsey
clerk

The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU TO SUMMON

John B. F. Munsey & W. P. Zion

to H Jones Court at the Court House of Lee County
to appear before the Judge of our Circuit Court of Lee County, at the Court-house thereof on the *20th*
day of *May* 189 *5*, to testify and the truth to say in behalf of the *Plff*

in a certain matter of controversy in our said Court,
before the said *Court* ~~Judge~~ depending and undetermined between

Brown & Orr Plaintiff
and

Joseph M. Munsey Defendant :
And have then there this writ. Witness, A. B. MUNSEY, Clerk of our said Court, at the court-house,

the *8th* day of *May* 189 *5*, and in the *11 9th* year of
the Commonwealth.

A. B. Munsey Clerk.

Brown & Orr

vs { SUBPENA
FOR
WITNESS.

J. H. Munsey

Circuit Court, the 20th day of

May 1898.

Not Executed &
not found this
May 18. 1898.
J. H. Wilson &
for C. Flower

The Commonwealth of Virginia,
To the ^{or any Constable} Sheriff ~~of the~~ County of Lee, Greeting:

WE COMMAND YOU, That you summon

James Munsey, or one
of his sons if he will not come, and
W. P. Givon

to appear before ~~our~~ ^{me} Court for the ~~of~~ at the
office of ~~Mr. Beauchamp~~ ^{Mr. Beauchamp} & Esq. Jonesville, Va.
court house, on the 20th day of ~~April~~ ^{May} 1895, to testify and the truth to say

^{me}
before the ~~Grand Jury then to be in~~ session as Special Comr. in behalf of
Brown & Orr, in a certain cause pending
before me as Comr., wherein Brown & Orr are
plffs. and J. W. Munsey is defendant.

And this ~~They~~ shall in no wise omit, under the penalty of £100. And have then there this writ.

WITNESS, ^{my hand as Comr.} ~~Clerk of our said~~ Circuit Court

the 23 day of ~~Apr~~ ^{Apr} 1895, in the 119 year of the Commonwealth.

C. H. Jones ~~Clerk.~~
Comr.

Brown & Orr
Commonwealth

vs.

SUBPENA FOR
WITNESS BEFORE

~~GRAND JURY~~

J. W. Munsey Court.

To *28th* day of *Apr* *May*
189*5*

Executed by
Summoning the
within witnesses this
May 20-1895
J. M. Weston W. S.
for C. E. Flannery
S. L. C.

The Commonwealth of Virginia,

To the Sheriff of the County of Lee---Greeting:

WE COMMAND YOU, That you summon

J. M. Muney

to appear at the Clerk's Office of the Circuit Court of the County of Lee, at the rules to be held for the said

Court on the *3rd* Monday in *September*, 189*4*, to answer a bill in Chancery,

exhibited against *him* in our said court by *Lo K Brown and*

J. M. Orr merchants + partners in trade under
the firm name of *Brown + Orr*

And have then there this writ. Witness, A. B. MUNSEY, Clerk of our said Court, at the court-house, the

3rd day of *September* 189*4*, and in the *119th* year of the

Commonwealth.

A. B. Munsey Clerk.

I have executed the attachment hereon endorsed by
 leaving the same on the debt of W. Munsey's undivided
 interest in the real estate owned by his father ~~Wm~~
 Munsey Sr. deceased at the time of his death, and devised to
 said defendant and others by said decedent, and consisting
 of one tract of 69 Acres lying on S. S. of Wallens Ridge, another
 of 216 Acres lying on the N. Side of said Ridge and another
 of 27 1/2 Acres lying on the N. Side of said Ridge all about 10
 miles west of the Court House or rather South West therefrom
 and the defendants interest therein being 1/4 thereof.
 This ~~September 3rd~~ 1894, at 3 O'clock, P.M.
 C. E. Flannery, A. J. 6

Brown & Co

VS.
 {
 SUPREMA
 IN CHANCERY.

J. W. Munsey

p. 9.

To 2nd September Rules, 1894.
 Circuit Court.

Not executed the defendant
 being a nonresident of
 this State. Sept 3rd 1894.

C. E. Flannery.
 A. J. 6

The proper officer having been made, it is ordered
 that the officer serving this writ do attach the estate of
 the defendant, W. Munsey in this, Lee County, and the
 same in his hands as attached, as to account and provide
 that the same may be forth coming and make to the
 future order of the Court. Sept 3rd 1894.
 Note: 1893 Murray Clerk

The Commonwealth of Virginia,

To the Sheriff of the County of Lee---Greeting:

WE COMMAND YOU, That you summon

J. M. Munsey

to appear at the Clerk's Office of the Circuit Court of the County of Lee, at the rules to be held for the said Court on the *1st* Monday in *December*, 189*4*, to answer a bill in Chancery,

exhibited against *him* in our said court by *C. K. Brown &*

J. M. Orr Merchants and partners in trade under the firm name of Brown & Orr

And have then there this writ. Witness, A. B. MUNSEY, Clerk of our said Court, at the court-house, the

20th day of *November*

189*4* and in the 11*9th* year of the

Commonwealth.

A. B. Munsey Clerk.

Brown & Orr

vs. { SUPRENA
IN CHANCERY.

J. W. Munsey

Orr, B. & Ewing p. q.

To 1st December Rules,
Circuit Court.

The within writ is not
executed on the deft. J. W.
Munsey because he is a
nonresident of this State
but I have this day further
executed the attachment
hereon endorsed by deliv-
ing an attested office copy
thereof to Elizabeth Munsey
the tenant in possession
of the interest in the real
estate heretofore levied
on. This 10th 24th 1894.

J. M. Weston Deputy
for C. E. Flannery & L. C.

The proper officer having been made it is
ordered that the officer serving this writ do attach
the estate of the defendant. J. W. Munsey in this
County; and the same in his hands do attaching
do to secure and provide that the same may be
forthcoming and liable to the future order of the
Court: Witness the 20th 1894

Seal of J. W. Munsey Clerk

The Commonwealth of Virginia,

To the Sheriff of the County of Lee---Greeting:

WE COMMAND YOU, That you summon

J W Muncy

to appear at the Clerk's Office of the Circuit Court of the County of Lee, at the rules to be held for the said

Court on the *3rd* Monday in *September*, 189*4*, to answer a bill in Chancery,

exhibited against *him* in our said court by *L K Brown*

*+ J W Orr Merchants and partners in Trade under
the firm name of Brown + Orr*

And have then there this writ. Witness, A. B. MUNSEY, Clerk of our said Court, at the court-house, the

3rd

day of

September

189*4*, and in the

119th

year of the

Commonwealth.

A B Munsey

Clerk.

A Copy Lesto A B Munsey Clerk

I have executed the attachment herein endorsed by levying the same on the deft. J. W. Muncy's undivided interest in the real estate owned by his father Wm Muncy & deceased at the time of his and devised to said defendant and others by said decedent, and consisting of one tract of 69 Acres lying on S.E. of Wallens Ridge, another of 216 Acres lying on the N. side of said ridge, and another of 27 3/4 Acres lying on the N. side of said ridge all about 10 miles west of the Court house or rather South west therefrom and the defendants interest therein being 1/7 thereof

This Sept the 3rd 1894 at O'clock P.M.

Circuit Court.

To

Rules,

P. q.

vs.

{ SUPPOENA
IN CHANCERY.

The proper affidavit having been made it is ordered that the officer serving this writ do attach the estate of the defendant J. W. Muncy in Lee County, and that same may be forthcoming and liable to the future order of the court Sept the 3rd 1894

Wm A. B. Muncy Clerk

IN the Clerk's Office of the Circuit Court
of the County of Lee on the 3rd day of
September, 1894.

Brown & Orr, Plaintiff,

Against

J. W. Munsey, Defendant.

IN CHANCERY.

The object of this suit is to recover of the Defendant \$65.00 and legal interest thereon from the 16th day of June, 1894, and to subject to the payment thereof the Defendant's interest in the real estate of his father, William Munsey, Sr., deceased, which has been attached for the purpose.

And an affidavit having been made and filed that the defendant J. W. Munsey is not a resident of the State of Virginia, it is ordered that he do appear here, within fifteen days after due publication hereof, and do what may be necessary to protect his interest in this suit. And it is further ordered that a copy hereof be published once a week for four weeks in the South-west Virginian, and that a copy be posted at the front door of the court-house of this county on the first day of the next term of the County Court.

A Copy Teste:

A. B. Munsey, Clerk.

Orr, Blankenship & Ewing P. Q.

sep 6 4t

CERTIFICATE OF ORDER OF PUBLICATION.

We, A. M. Goins and W. H. Eads,
editors of the SOUTHWEST VIRGINIAN,
a weekly newspaper published at
Jonesville, Lee county, Virginia, do
hereby certify that the annexed no-
tice was published in said paper
once a week for four successive
weeks, commencing on the 6th

day of Sept 1894.

A M Goins
W H Eads

} Editors.

Brown & Co.

vs Certificate of Title

J. W. Munsey